

PATENT

IBM/178
Confirmation No. 5139

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence for Application No. 09/932,140 is being electronically transmitted to the United States Patent and Trademark Office Board of Patent Appeals and Interferences, via EFS-WEB, on March 1, 2007.

/Douglas A. Scholer/
Douglas A. Scholer, Reg. No. 52,197

March 1, 2007
Date

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Brian Eric Bakke et al. Art Unit: 2113
Application No.: 09/932,140 Examiner: Joseph D. Manoskey
Filed: August 17, 2001
For: METHOD AND APPARATUS FOR PROVIDING REDUNDANT ACCESS
TO A SHARED RESOURCE WITH A SHAREABLE SPARE ADAPTER

COMMUNICATION

Mail Stop Appeal Brief - Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper and the Supplemental Appeal Brief enclosed herewith are submitted in reply to the Notice of Non-Compliant Appeal Brief dated February 1, 2007, within the one month period for response. Applicants have amended the Appeal Brief to include a concise explanation of the subject matter defined in each of the independent and dependent claims involved in the appeal as required under 37 CFR 41.37(c)(1). Furthermore, while Applicants submit that the claims contained in the Appendix were a correct copy of the appealed claims according to 37 CFR 41.37(c)(1)(viii), Applicants have nonetheless added the appropriate claim status identifiers per the Examiner's note for Item 10 in the Notice. Applicants respectfully submit that the Appeal Brief is now compliant and request that the Appeal Brief be submitted to the Board of Patent Appeals and Interferences for consideration.

If there are any questions regarding this paper, or which might otherwise further this case onto allowance, please contact the undersigned at (513) 241-2324. Moreover, if any other

charges or credits are necessary to complete this communication, please apply them to Deposit Account 23-3000.

Respectfully submitted,

March 1, 2007
Date

/Douglas A. Scholer/
Douglas A. Scholer
Reg. No. 52,197
WOOD, HERRON & EVANS, L.L.P.
2700 Carew Tower
441 Vine Street
Cincinnati, Ohio 45202
(513) 241-2324